

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MAGISTRATE MAHDI SUFI EL

Plaintiff,

v.

PEOPLE’S EMERGENCY CENTER, *et al.*

Defendants.

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CIVIL ACTION NO. 17-4915

ORDER

AND NOW, this 12th day of June 2018, upon consideration of the Motion to Dismiss and Supplemental Motion to Dismiss the Second Amended Complaint of Defendants People’s Emergency Center, 4050 Apartments, LP, and Dawn Burrous [Doc. Nos. 11 and 15], to which no response has been filed, and for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that the Motions are **GRANTED in part and DENIED in part** as follows:

1. The Motions are **GRANTED** to the extent Plaintiff attempts to bring claims on behalf of anyone other than himself, and any claims purportedly on behalf of others are **DISMISSED WITHOUT PREJUDICE**.

2. The Motions are **DENIED** as to Counts One and Five.

3. The Motions are **GRANTED** as to Counts Two and Three and these claims are **DISMISSED WITH PREJUDICE**.

4. The Motions are **GRANTED** as to Count Four, which is **DISMISSED WITHOUT PREJUDICE**.

It is further **ORDERED** that:

5. Plaintiff may file an amended complaint that comports with the Court’s memorandum opinion no later than **June 25, 2018**. If Plaintiff does not file an amended

complaint, then Moving Defendants shall answer the Second Amended Complaint no later than **July 9, 2018**.

6. Plaintiff and counsel for Moving Defendants shall each complete the attached scheduling information form, and file the form of record no later than **June 29, 2018**.

7. The parties, or their counsel, shall appear for a scheduling conference before the Court in Courtroom 12-A, United States Courthouse, 601 Market Street, Philadelphia, PA on **July 10, 2018 at 11:30 AM**. If Plaintiff is unable to attend the conference, he must notify the Court in writing no later than **July 2, 2018** to request alternative arrangements.

8. If Plaintiff fails to file the scheduling information form, or fails to appear for the scheduling conference without requesting alternative arrangements, the case may be dismissed without prejudice for failure to prosecute without further notice.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

SCHEDULING INFORMATION REPORT

Caption: El v. People's Emergency Center, et al.

Civil Action No.: 17-4915

Jury Trial _____ Non-Jury Trial _____ Arbitration

PARTIES AND ATTORNEYS

Plaintiff: _____

Address: _____

Defendants: _____

Defendants' Counsel:

Address: _____

CASE DETAILS

Basis for Federal Jurisdiction:

For the Plaintiff: List and number all claims in the Complaint:

For All Parties: Set forth below a concise statement of the case setting forth the general factual allegations underlying the claims or defenses in the case. If necessary, one additional page may be attached.

DISCOVERY

Have you complied with the duty of self-executing disclosure under Federal Rule of Civil

Procedure 26(a)? Yes _____ No _____

If yes, when? _____ If not, why not?

Have you filed a discovery plan pursuant to Federal Rule of Civil Procedure 26(f)?

If yes, when? _____ If not, why not?

When will discovery be completed?

If you contend the discovery period should exceed three months after all defendants have filed an answer, please state the reasons:

Ready for trial by: _____
Date

Is a settlement conference likely to be helpful? Yes _____ No _____

If yes, when: Early _____(yes/no) After discovery _____(yes/no)

Do you expect to file a case dispositive motion? Yes _____ No _____

If so, by what date? _____

TRIAL

Time to present your case: _____

Estimated time for entire trial: _____

Date: _____

Signature of party or counsel preparing the form

Typed or printed name